



Division of Human Rights

ANDREW M. CUOMO
Governor

Angela Fernandez
Commissioner

September 27, 2019

VIA EMAIL

Adam Hanski
MuckRock News
Dept. MR 75368
411a Highland Avenue
Somerville, MA 02144-2516

Dear Mr. Hanski:

This is in further response to your Freedom of Information Law (FOIL) request, received by the Division on June 14, 2019, in which you requested the following:

Pursuant to the New York Freedom of Information Law, I hereby request any records that refer to:

- 1) the building and/or property located at 484 Broadway, NY, NY;
- 2) any Establishment located at 484 Broadway, NY, NY;
- 3) any owner of 484 Broadway, NY, NY;

This record request includes, but is not limited to, any records that relate to the any investigation by the Division of Human Rights ("Division") into storefront accessibility at 484 Broadway, NY, NY. (For example, the investigation referenced in a press release dated, June 27, 2017 located on the Division's website at the following address: <https://dhr.ny.gov/storefront-accessibility>.)

Please be advised that pursuant to the New York Public Officers Law, state agencies are not required to make records available where such records are specifically exempted from disclosure by statute. Public Officers Law § 87(2)(a). The Human Rights Law provides that: [n]o officer, agent or employee of the division shall make public with respect to a particular person without his consent information from reports obtained by the division except as necessary to the conduct of a proceeding under this section.” Executive Law § 297(8).

In addition, an agency may deny access to records where disclosure “would constitute an unwarranted invasion of personal privacy,” Public Officers Law § 87(2)(b); and to inter-agency or intra-agency materials which are not: i. statistical or factual tabulations or data; ii. instructions

to staff that affect the public; iii. final agency policy or determinations; iv. external audits, including but not limited to audits performed by the comptroller and the federal government.” Public Officers Law § 87(2)(g).

Based on the above, the Division is unable to provide to non-parties any documents other than the final agency determination.

After a diligent search of the Division’s Case Management System, the Division found no records responsive to your request.

Any person denied access to a requested record may, within thirty (30) days of the denial, appeal the denial in writing by mail or fax to Caroline J. Downey, General Counsel, N.Y.S. Division of Human Rights, One Fordham Plaza, 4th Floor, Bronx, New York 10458.

Very truly yours,

A handwritten signature in black ink, appearing to read "Siaka Paasewe", written in a cursive style.

Siaka Paasewe
FOIL Officer